

RCE 12876

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/45 6

Filing Date: December 6, 1999

First Named Inventor: Matthew G. Gorbet

Group Art Unit: 2876

Examiner: Jamara Alzaida Franklin

Attorney Docket Number: 7447.0044

Xerox Docket No. D/98704Q3

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114:

### a. ☒ Previously submitted

- i. ☒ Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on November 12, 2002.
- ii. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on \_\_\_\_\_.
- iii. ☐ Other \_\_\_\_\_

### b. ☒ Enclosed:

- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement
- iv. ☒ Other Petition for Extension of Time

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of number months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- a. ☒ The filing fee is calculated as follows:
  - i. ☒ \$740.00 RCE fee required under 37 C.F.R. § 1.17(e)
  - ii. ☒ Petition for extension of time for (one month) \$110.00
  - iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$\_\_\_\_\_ is enclosed.
- c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 24-0037.

## Signature of Applicant, Attorney, or Agent Required

Name: Leonard Smith, Jr.

Reg. No.: 45,118

Signature: 

Date: December 9, 2002

## Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, BOX RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: [Date]

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